

**DRAFT**  
**SAMPLE**  
**JOINT PROJECT AGREEMENT**  
**BETWEEN THE**  
**NATIONAL OCEAN SERVICE**  
**AND THE**  
**(NAME OF THE OTHER ORGANIZATION)**

**I. General Information**

Provide general introductory information about the functions of the parties entering into the agreement and identify the partner(s) to the agreement (nonprofit organization, research organization, or public organization or agency).

**III. References and Authorities**

NOS is authorized to enter into this agreement pursuant to the Department of Commerce's Joint Project Authority, 15 U.S.C. 1525. NOS has determined that this arrangement is of mutual benefit to both parties and that the costs will be equitably apportioned. NOS has programmatic authority to participate in this project pursuant to (cite statutory authority such as Coastal Zone Management Act, Coast and Geodetic Survey Act, or other applicable authority).

**III. Purpose**

Provide reason(s) why the agreement is necessary and why the project cannot be done as effectively without the participation of the partner(s) and NOS. Explain that the project is of mutual interest to the parties and is essential to the furtherance of NOS's programs. Summarize what is to be accomplished under the terms of the agreement.

**IV. Definitions**

If necessary, identify and define terminology which is unique, technical or subject to variable definitions, and which is applicable to the agreement. This could include definitions of both non-technical and technical terminology as may be applicable to the provisions of the agreement. (This paragraph is optional.)

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### V. Responsibilities of Agencies

Describe the services to be performed and the specific responsibilities of each agency involved in the joint project. (A separate proposal or statement of work may also be incorporated by reference and attached to the agreement.)

### VI. Period of Performance

Provide the start and ending date of the joint project.

### VII. Funding and Payments

Agreement must state that funding is available for the current fiscal year. If agreement is for a longer period than the current fiscal year, estimated funding levels for each of the subsequent years should be included along with a statement that performance beyond current fiscal year is dependent on availability of funds.

A budget must be included either in the agreement or attached to it. The budget must reflect breakout of total estimated costs, including direct labor and appropriate overhead rate, for each agency participating in the joint project. The costs shall be apportioned equitably in relation to the benefits received by the partners to the agreement and an explanation included in the agreement attesting to this condition.

If funds are to be transferred to NOS for their participation in the joint project, advance payment is the primary method for payment from both Federal and non-Federal participants. However, non-Federal participants must pay in advance, unless a waiver has been obtained prior to initiation of the project.

### VIII. Amendments and Review

This agreement may be amended at any time by the mutual consent of the agencies concerned.

### IX. Other Provisions

Nothing herein is intended to conflict with current NOS or (name of agency) directives. If the terms of this agreement are inconsistent with existing directives of either of the agencies entering into this agreement, then those portions of this agreement which are determined to be inconsistent shall be invalid; but the remaining terms and conditions of this agreement not affected by inconsistency shall remain in full force and effect. At the first opportunity for review of the agreement, such changes as are deemed necessary will

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be accomplished by either an amendment or by entering into a new agreement, whichever is deemed expedient to the interest of both parties.

Should disagreement arise as to the interpretation of the provisions of this agreement, or amendments and/or revisions thereto, that cannot be resolved at the operating level, the area(s) of disagreement shall be reduced to writing by each party and presented to the other party for consideration at least 30 days prior to forwarding to respective higher management for appropriate resolution.

## X. Terms of the Agreement

The terms of this agreement will become effective upon the signature of both the approving officials of the respective agencies entering into this agreement.

The terms of this agreement will remain in effect until terminated by: mutual agreement, 60 days advanced written notice by either party, or ending date of the period of performance, whichever shall occur first.

APPROVED:

National Ocean Service

Participating Agency - name

(Signature)

(Signature)

Name, Title

Name, Title

Date \_\_\_\_\_

Date \_\_\_\_\_